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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,086	03/08/2001	Paul Duxbury	190-1471	8514

7590 02/11/2005

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EXAMINER

BAYERL, RAYMOND J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/803,086

Applicant(s)

DUXBURY, PAUL

Examiner

Raymond J. Bayerl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15 - 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angiulo et al. ("Angiulo"; US #6,275,829 B1) in view of Fleskes ("Fleskes"; US #6,529,910 B1).

As per independent claim 15's "generating a webpage" by the inclusion of "commands" that invoke an "accessing" of "the object referenced by the source address within the command", Angiulo, as noted in the previous office action, establishes web pages in which an inserted inline graphic image such as a thumbnail may create a link to a full-size image, as the user is in the process of the developing a page:

"if the object referenced by the source address is a content object", the full-size image is inserted into the web-page: [the saved link enables the original image to be retrieved and displayed if the thumbnail image is selected, causing the link to be activated.] (col. 5 line 66 – col. 6 line 5)—The examiner notes that the prior art has the ability of linking a thumbnail to the original image, and that the original image may in fact be made a part of the page. In the alternative, "if the object referenced by the source address is a shortcut object": [the saved link enables the original image to be retrieved and displayed if the thumbnail image is selected, causing the link to be activated.] (col. 5 line 66 – col. 6 line 5) The examiner notes that the prior art has the ability of linking a thumbnail to the original image.

As per “storing a plurality of objects” to be accessed in such a way, it has also been noted: [Information sources managed by the server may include files, databases, and applications on the server system or on an external computer system.] (col. 1 lines 25-27). The examiner interprets that a content store is a place where content or information is stored, that could be any variety of things like a server, hard disk, or even a database.

The amended claim diverges from Angiulo's basic teaching of a webpage that may contain full-size and linking thumbnail imagery by calling for “providing a template including a plurality of commands for inserting content into the webpage”, “parsing the template” and “executing each command by accessing the object”.

However, it was known in the art at the time of applicant's invention to develop web-pages from “template” origins, as is seen in Fleskes, who teaches AUTOMATICALLY GENERATING WORLDWIDE WEB PAGES BASED ON REAL WORLD DOMAIN DATA. Specifically, Fleskes maintains configuration and content data and a series of web pages that act as templates. (Abstract). In executing such templates, the Fleskes user creates custom web pages by inputting data about the organization and its members (see also col 9, lines 37 – 59).

Thus, it would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to create a web-page from a parsed and executed template, into which custom content is inserted, as per Fleskes, using the technique of alternatively inserting full-size images or thumbnail “shortcut object” links to those images, as in Angiulo, for this helps the Angiulo user in having a ready-made source of

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page specifications for repetitive jobs into which various object data links are inserted. Motivation lies in Angiulo itself, where it is presumed that the Fleskes templates would be a welcome modification in avoiding having to generate whole pages from a more initial start.

Independent claims 17, 19 are comparable in scope and substance to claim 15, and are rejected using a similar line of reasoning.

As per the "property values" that are assigned to "content objects and shortcut objects", where a "shortcut object"'s "property values" "override corresponding property values of the content object referenced" (claims 16, 18, 20), it has also been noted in the previous office action that Angiulo allows borders to be applied to imagery referenced by a thumbnail: [A checkbox 84 is employed by the user to selectively employ the beveled edge effect, and if not checked, a beveled edge will not be provided. The display of beveled edge image 82 is dynamically linked to checkbox 84 so that the selection of the beveled edge will immediately be reflected in the displayed image.]. The examiner interprets that in Figure 3, the user has the ability to change the thumbnail to include borders around the image, which is also dynamically linked to the displayed image.

The fact is, in Angiulo, the imposition of a beveled edge effect is the incorporation within the originating web-page of a "property value", the one that calls for the use of the edge effect. In then accessing the original image, the beveled edge effect is then

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applied, and will thus “override” the original display characteristics of the image to include it.

3. Applicant's arguments filed 5 October 2004 have been fully considered but they are not persuasive.

As per applicant's assertion at page 6 that “There is no teaching in Angiulo of using a template to generate an output webpage”, please see the new rejection above that also relies upon the template sourcing of Fleskes.

Applicant also argues at page 6 that “there is no suggestion of a method wherein a shortcut object is accessed, and then the target address in the shortcut object is used to access the required content object”. However, Angiulo provides an option to replace an IMG SRC referring to “SAILBOAT.GIF” (the actual “content object”) with a thumbnail representation that is a “shortcut”: the HREF linking command that uses “LITTLESAILBOAT>GIF”. Thus, the substance of “shortcut” objects that link to “content objects” continues to be seen in Angiulo.

Applicant then argues that “there is no suggestion that the properties of the tag can override the properties of the image file SALIBOAT.GIF”. However, this neglects the teaching in Angiulo that a beveled edge effect can be imposed in the thumbnail link specification, with the effect being applied to the source content image. In specifying such a modification of the original image, Angiulo in fact provides “property values” that “override”.

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure—the additional citation of Levine et al. is made, to provide another example of a template page that incorporates linked-to objects.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - F from 9:00 AM to 4:00 PM ET.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application

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related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.



**RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173**

9 February 2005